

management and treatment procedures.

(b) In addition to the provisions of § 151.2035(a), you (the master, operator, or person-in-charge of a vessel) are requested to employ at least one of the following ballast water management practices, if you carry ballast water into the waters of the United States after operating beyond the EEZ:

(1) Exchange ballast water beyond the EEZ, from an area no less than 200 nautical miles from any shore, and in waters more than 2,000 meters (6,560 feet, 1,093 fathoms) deep, before entering waters of the United States.

(2) Retain the ballast water on board the vessel.

(3) Use an alternative environmentally sound method of ballast water management that has been approved by the Coast Guard before the vessel begins the voyage. Submit the requests for approval of alternative ballast water management methods to the Commandant (G-MSO-4), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001. The phone number is 202-267-0500.

(4) Discharge ballast water to an approved reception facility.

(5) Under extraordinary conditions, conduct a ballast water exchange within an area agreed to by the COTP at the time of the request.

**§ 151.2040 What are the mandatory requirements for vessels carrying ballast water into the waters of the United States after operating beyond the Exclusive Economic Zone (EEZ)?**

(a) The master, owner, operator, person-in-charge of a vessel bound for the Great Lakes or Hudson River, which has operated beyond the EEZ during any part of its voyage, regardless of intermediate ports of calls within the waters of the United States or Canada, must comply with paragraphs (c) through (f) of this section, all of § 151.2045, and with the provisions of this part 151 subpart C.

(b) A vessel engaged in the foreign export of Alaskan North Slope Crude Oil must comply with paragraphs (c) through (f) of this section, all of § 151.2045, and with the provisions of 15 CFR 754.2(j)(1)(iii). That section (15 CFR 754.2(j)(iii)) requires a mandatory

program of deep water ballast exchange (i.e., at least 2,000 meters water depth and recordkeeping), unless doing so would endanger the safety of the vessel or crew.

(c) The master, owner, operator, agent, or person-in-charge of a vessel carrying ballast water into the waters of the United States after operating beyond the EEZ, unless specifically exempted by § 151.2010 or § 151.2015, must provide the information required by § 151.2045 in electronic or written form to the Commandant, U.S. Coast Guard or the appropriate COTP as follows:

(1) *For a United States or Canadian Flag vessel bound for the Great Lakes.* You must fax the required information to the COTP Buffalo 315-764-3283 at least 24 hours before the vessel arrives in Montreal, Quebec.

(2) *For a foreign flagged vessel bound for the Great Lakes.* You must—

(i) Fax the required information to the COTP Buffalo 315-764-3283 at least 24 hours before the vessel arrives in Montreal, Quebec; or

(ii) Complete the ballast water information section of the St. Lawrence Seaway required “Pre-entry Information from Foreign Flagged Vessels Form” and submit it in accordance with the applicable Seaway notice.

(3) *For a vessel bound for the Hudson River north of the George Washington Bridge.* You must telefax the information to the COTP New York at 718-354-4249 before the vessel enters the waters of the United States (12 miles from the baseline).

(4) *For a vessel not addressed in paragraphs (c)(1), (c)(2), and (c)(3) of this section.* Before the vessel departs from the first port of call in the waters of the United States, you must—

(i) Mail the information to U.S. Coast Guard, c/o Smithsonian Environmental Research Center (SERC), P.O. Box 28, Edgewater, MD 21037-0028; or

(ii) Transmit the information electronically to the NBIC at [www.serc.si.edu/invasions/ballast.htm](http://www.serc.si.edu/invasions/ballast.htm); or

(iii) Fax the information to the Commandant, U.S. Coast Guard, c/o the NBIC at 301-261-4319.

(d) If the information submitted in accordance with paragraph (c) of this section changes, you must submit an

amended form before the vessel departs the waters of the United States.

(e) This subpart does not authorize the discharge of oil or noxious liquid substances (NLS) in a manner prohibited by United States or international laws or regulations. Ballast water carried in any tank containing a residue of oil, NLS, or any other pollutant must be discharged in accordance with the applicable regulations.

(f) This subpart does not affect or supersede any requirement or prohibition pertaining to the discharge of ballast water into the waters of the United States under the Federal Water Pollution Control Act (33 U.S.C. 1251 to 1376).

**§ 151.2045 What are the mandatory recordkeeping requirements?**

(a) The master, owner, operator, or person in charge of a vessel carrying ballast water into the waters of the United States after operating beyond the EEZ, unless specifically exempted by § 151.2010 or § 151.2015 shall keep in written form, records that include the following information (Note: Ballast tank is any tank or hold that carries ballast water regardless of design):

(1) *Vessel information.* Include the—

(i) Name;

(ii) International Maritime Organization (IMO) Number (official number if IMO number not issued);

(iii) Vessel type;

(iv) Owner or operator;

(v) Gross tonnage;

(vi) Call sign; and

(vii) Port of Registry (Flag).

(2) *Voyage information.* Include the date and port of arrival, vessel agent, last port and country of call, and next port and country of call.

(3) *Total ballast water information.* Include the total ballast water capacity, total volume of ballast water on board, total number of ballast water tanks, and total number of ballast water tanks in ballast. Use units of measurements such as metric tons (MT), cubic meters (m<sup>3</sup>), long tons (LT), and short tons (ST).

(4) *Ballast Water Management.* Include the total number of ballast tanks/holds that are to be discharged into the waters of the United States or to a reception facility. If an alternative ballast water management method is used,

please note the number of tanks that were managed using an alternative method, as well as the type of method used. Indicate whether the vessel has a ballast water management plan and IMO guidelines on board, and whether the ballast water management plan is used.

(5) *Information on ballast water tanks that are to be discharged into the waters of the United States or to a reception facility.* Include the following:

(i) The origin of ballast water. This includes date(s), location(s), volume(s) and temperature(s) (If a tank has been exchanged, list the loading port of the ballast water that was discharged during the exchange.).

(ii) The date(s), location(s), volume(s), method, thoroughness (percentage exchanged if exchange conducted), sea height at time of exchange if exchange conducted, of any ballast water exchanged or otherwise managed.

(iii) The expected date, location, volume, and salinity of any ballast water to be discharged into the waters of the United States or a reception facility.

(6) *Discharge of sediment.* If sediment is to be discharged within the jurisdiction of the United States include the location of the facility where the disposal will take place.

(7) *Certification of accurate information.* Include the master, owner, operator, person in charge, or responsible officer's printed name, title, and signature attesting to the accuracy of the information provided and certifying compliance with the requirements of this subpart.

(8) *Change to previously submitted information.*

(i) Indicate whether the information is a change to information previously submitted for this voyage.

(ii) The master, owner, operator, or person in charge of a vessel subject to this section, must retain a signed copy of this information on board the vessel for 2 years.

(iii) The information required of this subpart may be used to satisfy the ballast water recordkeeping requirements for vessels subject to § 151.2040(a) and (b).

(iv) A sample form and the instructions for completing the form are in the appendix to this subpart. If you